

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Timothy Clayton Mitchell**

**Docket No. 5:02-CR-54-1BO**

**Petition for Action on Supervised Release**

COMES NOW Dewayne L. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Timothy Clayton Mitchell, who, upon an earlier plea of guilty to 18 U.S.C. § 371, Conspiracy to Make, Possess, and Utter Forged Securities of an Organization, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 23, 2003, to the custody of the Bureau of Prisons for a term of 30 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall not incur new credit charges or open additional lines of credit without the permission of the probation officer.
2. The defendant shall provide the probation officer with access to any requested financial information.

Timothy Clayton Mitchell was released from custody on May 30, 2011, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** Although the defendant has tested negative for illegal drugs since supervision commenced, he admitted to the probation officer during on office visit on October 18, 2011, that he has been drinking alcohol to excess. Mitchell has agreed to participate in drug and alcohol treatment as instructed by the probation officer. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/Dewayne L. Smith  
Dewayne L. Smith  
U.S. Probation Officer  
1760 Parkwood Blvd., Room 201  
Wilson, NC 27893-3564  
Phone: 252-237-0788  
Executed On: October 18, 2011

**ORDER OF COURT**

Considered and ordered this 19 day of October, 2011, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle  
Terrence W. Boyle  
U.S. District Judge